DECISION RECORD

Reference: Environmental Assessment (EA) for Grazing Authorization, #NM-060-00-160

Response to Comments: A response to comments from Forest Guardians dated October 13, 2000 has been done. The comments will not change the original EA. Response is in EA file.

Decision: It is my decision to authorize the issuance of a ten year grazing lease to Hefker and Vega for the Bureau of Land Management grazing allotment #63085. The lease will authorize 3 Animal Units (AU's) yearlong at 100 percent federal range for 36 Animal Unit Months (AUM's). Cattle will be the authorized class of livestock.

Any additional mitigation measures identified in the environmental impacts sections of the referenced environmental assessment have been formulated into stipulations, terms and conditions.

If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days to do so in person or in writing to the authorized officer, after the receipt of this decision. Please be specific in your points of protest. In the absence of a protest, this proposed decision will become the final decision of the authorized officer without further notice, in accordance with 43 CFR 4160.3. A period of 30 days following receipt of the final decision, or 30 days after the date the proposed decision becomes final, is provided for filing an appeal and petition for the stay of the decision, for the purpose of a hearing before an Administrative Law Judge (43 CFR 4.470). The appeal shall be filed with the office of the Field Office Manager, 2909 West Second, Roswell, NM, 88201, and must state clearly and concisely your specific points.

Signed by T. R. Kreager, 5/31/01
Assistant Field Manager-Resources Date

ENVIRONMENTAL ASSESSMENT
for
GRAZING AUTHORIZATION

ALLOTMENT 63085

EA-NM-060-00-160

August, 2000

U.S. Department of the Interior
Bureau of Land Management
Roswell Field Office
Roswell, New Mexico

I. Introduction

When authorizing livestock grazing on public range, the Bureau of Land Management (BLM) has historically relied on a land use plan and environmental impact statement to comply with the National Environmental Policy Act (NEPA). A recent decision by the Interior Board of Land Appeals, however, affirmed that the BLM must conduct a site-specific NEPA analysis before issuing a permit or lease to authorize livestock grazing. This environmental assessment fulfills the NEPA requirement by providing the necessary site-specific analysis of the effects of issuing a new grazing lease on allotment 63085.

The scope of this document is limited to the effects of issuing a 10 year grazing lease. Other future actions, such as range improvement projects, will be addressed in a project specific environmental assessment. There are currently no plans for range improvements on this allotment.

A. Purpose and Need for the Proposed Action

The purpose of issuing a new grazing lease would be to authorize livestock grazing on public lands on allotment 63085. The lease would specify the types and levels of use authorized, and the terms and conditions of the authorization pursuant to 43 CFR §§4130.3, 4130.3-1, 4130.3-2 and 4180.1.

B. Conformance with Land Use Planning

The Roswell Resource Management Plan/Environmental Impact Statement (October 1997) has been reviewed to determine if the proposed action conforms with the land use plan's Record of Decision. The proposed action is consistent with the RMP/EIS.

C. Relationships to Statutes, Regulations, or Other Plans

The proposed action is consistent with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1700 et seq.); the Taylor Grazing Act of 1934 (43 U.S.C. 315 et seq.), as amended; the Clean Water Act (33 U.S.C. 1251 et seq.), as amended; the Endangered Species Act (16 U.S.C. 1535 et seq.) as amended; the Federal Rangelands Improvement Act of 1978 (43 U.S.C. 1901 et seq.); Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

Proposed Action and Alternatives

A. Proposed Action:

The proposed action is to authorize Hefker & Vega a grazing lease for the BLM land within allotment 63085. The lease would authorize 3 cows yearlong at 100 percent federal range for 36 Animal Unit Months (AUM's).

B. No authorization alternative:

This alternative would not issue a new grazing lease. There would be no livestock grazing authorized on public land within allotment 63085.

III. Affected Environment

A. General Setting

Allotment 63085 is located in Lincoln County, approximately twelve miles southwest of Carrizozo, New Mexico. The allotment consists of 440 acres of public land, approximately 1680 acres of private and 1000 acres state land. The proposed lease is only for the 440 acres of federal land.

This allotment lies outside of the Roswell Grazing District boundary established subsequent to the Taylor Grazing Act (TGA). Grazing authorization on Public Lands outside of the Grazing District boundary is governed by section 15 of the TGA and are commonly referred to as section 15 lands. Overall livestock numbers for the ranch are not controlled under this section 15 lease. The amount of forage produced on public land is the determining factor on the number of authorized livestock.

The landscape of the area is relatively gentle sloping with a vegetative cover of desert grasses and some shrubs. Rim Rock Canyon and Bull Gap Canyon, both intermittent washes cross the public land. These drainages are dry most of the time but can carry large amounts of runoff during and after thunderstorms.

The following resources or values are not present or would not be affected: Prime/Unique Farmland, Areas of Critical Environmental Concern, Minority/Low Income Populations, Wild and Scenic Rivers, Hazardous/Solid Wastes, Wetlands/Riparian Zones, Invasive/Non-native Weeds, Floodplains, Wilderness, and Native American Religious Concerns. Cultural inventory surveys would continue to be required for public actions involving surface disturbing activities.

B. Affected Resources

1. Soils: In general, the soils in the area are Tulargo-Andergeorge association, gently sloping; and the Malargo-Bluepoint association, hummocky. The soils are very deep, well drained and found on nearly level gently sloping areas. For in depth soil information, please refer to the Soil Survey of Lincoln County Area New Mexico, published by the Natural Resource Conservation Service (NRCS). A copy of this publication may be reviewed at the BLM Roswell Field Office or at a local NRCS office.

2. Vegetation: This allotment is within the pinyon-juniper vegetative community as identified in the Roswell Resource Management Plan/Environmental Impact Statement (RMP/EIS). Vegetative communities managed by the Roswell Field Office are identified and explained in the RMP/EIS. Appendix 11 of the draft RMP/EIS describes the Desired Plant Community (DPC) concept and identifies the components of each community. The distinguishing feature for the pinion-juniper community is that the area does have the potential to have pinion, juniper, or mountain mahogany in the description of the potential plant community. The primary consideration for inclusion into this community type is the influence of topography, elevations, and slopes. This community type has smaller areas that are scattered throughout other types such as mixed desert shrub.

A rangeland inventory for vegetation production and ecological range site condition was performed on this allotment in November, 1991. Analysis of the inventory data indicates that usable forage is available for the proposed number of livestock. Inventory data indicates that the vegetative conditions on allotment 63085 is are moving towards, the multiple resource objectives established in the Roswell RMP. Copies of the inventory data are available at the Roswell Field Office.

3. Wildlife: Game species which may occur within the area include mule deer, antelope, mourning dove, and scaled quail. Raptors that utilize the area on a more seasonal basis include the Swainson's, red-tailed, and ferruginous hawks, American kestrel, and great-horned owl. Numerous passerine birds utilize the grassland areas due to the variety of grasses, forbs, and shrubs. The most common include the western meadowlark, mockingbird, horned lark, killdeer, loggerhead shrike, and vesper sparrow.

The warm prairie environment supports a large number of reptile species compared to higher elevations. The more common reptiles include the short-horned lizard, lesser earless lizard, eastern fence lizard, coachwhip, bullsnake, prairie rattlesnake, and western rattlesnake.

A general description of wildlife occupying or potentially utilizing the proposed action area is located in the Affected Environment Section (p. 3-62 to 3-71) of the Draft Roswell RMP/EIS (9/1994).

4. Threatened and Endangered Species: There are no known threatened or endangered species of plant or animals on Allotment 63085. A list of federal threatened, endangered and candidate species reviewed for this EA can be found in Appendix 11 of the Roswell Approved RMP (AP11-2). There are no designated critical habitat areas within this allotment. The swift fox is a Federal

Candidate species that may occupy or utilize the area; refer to the Biological Opinion (AP11-38) in the Roswell RMP for a detailed description of the range, habitats and potential threats. The mountain plover has been recently proposed for listing as an Endangered Species. It is associated with shortgrass and shrub-steep landscapes throughout its breeding and wintering range. Historically, on the breeding range, it occurred on nearly denuded prairie dog towns and in areas of major bison concentration. The mountain plover are considered to be strongly associated with sites of heaviest grazing pressure, to the point of excessive surface disturbance. Short vegetation, bare ground, and a flat topography are now recognized as habitat-defining characteristics at both breeding and wintering locales.

5. Livestock Management: The allotment is operated as a cow/calf operation. Water well and earthen reservoirs provide livestock water for the allotment.

6. Visual Resources: The allotment is located within a Class III Visual Resource Management area. The Class III rating means that contrasts to the basic elements caused by a management activity may be evident and begin to attract attention in the landscape. The changes, however should remain subordinate to the existing landscape.

7. Water Quality: No perennial surface water is found on the Public Land on this allotment.
8. Air Quality: Air quality in the region is generally good. The allotment is in a Class II area for the Prevention of Significant Deterioration of air quality as defined in the public Clean Air Act. Class II areas allow a moderate amount of air quality degradation.

9. Recreation: Since this allotment has no facility based recreational activities, only dispersed recreational opportunities occur on these lands. Recreational activities that may occur include hunting, caving, sightseeing, Off Highway Vehicle Use, primitive camping, horseback riding and hiking.

This area has no legal public access, the land surrounding the public land is privately owned and is locked from the U.S. Highway 54. Permission to access the area must be obtained from the private landowner.

Off Highway Vehicle designation for public lands within this allotment are classified as "Limited" to existing roads and trails.

10. Cave/Karst: This allotment is located within a designated area of high karst and cave potential. A complete significant cave or karst inventory has not been completed for the public lands located in this grazing allotment. No significant caves or karst features are known to exist within this allotment.

11. Floodplains: No floodplains have been identified on this allotment. The Emergency Management Agency maps for this area have not been printed or are not available. Two major

drainages run through the area draining from east to west. These drainages are Rim Rock Canyon and Bull Gap Canyon.

IV. Environmental Impacts

A. Impacts of the Proposed Action

1. Soils: The soils on allotment 63085 are moderately erosive by water and highly erosive by wind. The vegetation data obtained by the monitoring done in 1991 indicates that the presence of more grass species would facilitate more stability of the soils. Soil erosion of this area will occur whether livestock are grazed in the area or not. Positive affects from the proposed action may include acceleration of nutrient cycling, and chipping of the soil crust by hoof action may stimulate seedling growth and water infiltration.

2. Vegetation: Vegetation will continue to be grazed and trampled by domestic livestock. The area is part of the Tularosa Basin that has a well documented history of drought occurrence. The drought periods combined with too many livestock resulted in the area being denuded of grass numerous times since the late 1800's. The area is primarily occupied by brush species. Ecological condition and trend is expected to improve over the long term with the proposed authorized number of livestock. Rangeland inventory data indicates that there is an adequate amount of forage for the proposed livestock but an increase in grass species is desired to meet other multiple resource use objectives.

3. Wildlife: Domestic livestock will continue to utilize vegetative resources needed by a variety of wildlife species for life history functions within this allotment. The magnitude of livestock grazing impacts on wildlife is dependent upon the species of wildlife being considered, and it's habitat needs. Cover habitat for wildlife will remain the same as the existing situation. Maintenance and operation of existing water locations will continue to provide dependable water sources for wildlife, as well as livestock.

4. T&E species: Surveys have been conducted in New Mexico for the mountain plover by Lawry Sager in 1995, for the New Mexico Department of Game and Fish (Sager, 1996). No breeding populations were found south of the 34° North Latitude which generally follows the Chaves/DeBaca County line on the north end of the Roswell Field Office area. However, no birds were reported in either DeBaca or Chaves Counties; only one observation was reported in Lincoln County (near Lon). In addition, mountain plover surveys were conducted in 1998 at BLM selected sites by New Mexico Natural Heritage Program (DeLay & Johnson, 1998). No mountain plovers were observed at the sites. As mountain plovers prefer short vegetation and actually seek out grazed pastures, the cumulative impacts from grazing are not anticipated to adversely affect the bird. Grazing practices which maintain or improve ground cover to the greatest extent possible could decrease mountain plover habitat. The preferred alternative will continue to emphasize proper watershed management, but is unlikely to adversely affect this species or its habitat in the mixed desert shrub area. Since no known wintering locales or

breeding sites have been found and no known prairie dog towns are located within this allotment, proper grazing management is not likely to jeopardize, destroy or adversely modify the habitat.

5 Livestock Management: No adverse impacts are anticipated under the proposed action.

6. Visual Resources: The continued grazing of livestock would not affect the form or color of the landscape. The primary appearance of the vegetation within the allotment will remain the same.

7. Water Quality: Direct impacts to surface water quality would be minor, short-term impacts during stormflow. Indirect impacts to water-quality related resources, such as fisheries, would not occur. The proposed action would not have a significant effect on ground water. Livestock would be dispersed over the allotment, and the soil would filter potential contaminants.

8. Air Quality: Dust levels under the proposed action would be slightly higher than under the no grazing alternative due to allotment management activities. The levels would be within the limits allowed in a Class II area for the Prevention of Significant Deterioration of air quality.

9. Recreation: Grazing should have little or no impact on the dispersed recreational opportunities within this allotment. The evidence or presence of livestock can negatively affect visitors who desire solitude, unspoiled landscape views, or to hike without seeing signs of livestock. However, grazing can benefit some forms or recreation, such as hunting, by creating new water sources for game animals.

10. Caves/Karst: No known significant cave or karst features are known to exist on this allotment. There is a high potential that caves do exist in the area. If a significant cave is found, protection measures would be placed into effect.

11. Floodplains: By avoiding the two canyon that run through the area with structures such as buildings or corrals, no impacts should not occur.

B. Impacts of the No Livestock Grazing Alternative.

1. Soils: Soil activity by water and wind erosion will occur even though there is no grazing activity. There will be little or no change with this alternative.

2. Vegetation: It is expected that the number of plant species found within the allotment will remain the same. Vegetation will continue to be utilized by wildlife. There will be little change in the amount of standing vegetation.

3. Wildlife: Wildlife would have no competition with livestock for forage and cover.

4. T&E Species: There would be no change in the mountain plover habitat if the no grazing alternative was selected.

5. Livestock management: The forage from public land would be unavailable for use by the lessee. This would have a significant adverse economic impact to the livestock operation. If the No Grazing alternative is selected, the owner of the livestock would be responsible for ensuring that livestock do not enter Public Land [43 CFR 4140.1(b)(1)]. The intermingled land status on the allotment makes it economically unfeasible to fence out the public land and use only the private land. The remaining private and state land could not support the number of livestock currently authorized and the lower number of livestock would not provide the level of potential income the operator is accustomed to.

6. Visual Resources: There would be no change in the visual resources.

7. Water Quality: There will be no change in the water quality under this alternative. The amount of sediment loading during runoff will remain the same.

8. Air Quality: There would be a slightly less dust under this under this alternative versus the proposed alternative, but this would be negligible when considering all sources of dust.

9. Recreation: Impacts under this alternative would be essentially the same as under the proposed action. Access to the area would still be limited.

10. Caves/Karst: Impacts would be the same as the proposed action if no significant caves are found.

11. Floodplains: Impacts would be the same as the proposed action.

V. Cumulative Impacts

All of the allotments that have permits/leases with the BLM will have to go through scoping and analysis under NEPA. Allotment 63085 is surrounded by allotments that will be undergoing this process. If the proposed action is selected, there would be no change in the cumulative impacts since it does not vary from the current situation.
If the no livestock grazing alternative is selected, there would be little change in the cumulative impact as long as the surrounding allotments continue to be stocked at their current level. If the permitted numbers are reduced on the surrounding ranches as well, the economics of the surrounding communities and/or minority/low income populations would be negatively impacted.

The No Grazing alternative was considered, but not chosen in the Rangeland Reform Environmental Impact Statement (EIS) Record of Decision (ROD) (p. 28). The elimination of grazing in the Roswell Field Office Area was also considered but eliminated by the Roswell RMP/ROD (pp. ROD-2).

VI. Residual Impacts

Vegetative monitoring studies have shown that grazing, at the current permitted numbers of animals, is sustainable. A change in livestock management may result in a more rapid improvement of the vegetation but such a change may not be economically feasible with such low numbers of livestock. If the mitigation measures are enacted, then there would be no residual impacts to the proposed action.

VII. Mitigating Measures

Vegetation monitoring studies will be conducted and the numbers of livestock will be adjusted on the lease if necessary. If new information surfaces that livestock grazing is negatively impacting other resources, action will be taken at that time to mitigate those impacts.

VIII. Fundamentals of Rangeland Health

The fundamentals of rangeland health are identified in 43 CFR §§4180.1 and pertain to watershed function, ecological process, water quality, and habitat for threatened and endangered (T&E) species and other special status species. Based on the available data and professional judgement, the evaluation by this environmental assessment indicates that the conditions identified in the fundamentals of rangeland health probably do not exist on this allotment.

IX. BLM Team Members

Jim Schroeder, John Spain, Tim Kreager, Irene Gonzales-Salas, Jerry Dutchover, Rand French, Pat Flanary, Paul Happel, Howard Parman.

FINDING OF NO SIGNIFICANT IMPACT/RATIONALE

FINDING OF NO SIGNIFICANT IMPACT: I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined the proposed action will not have significant impacts on the human environment and that preparation of an Environmental Impact Statement (EIS) is not required.

Rationale for Recommendations: The proposed action would not result in any undue or unnecessary environmental degradation. The proposed action will be in compliance with the Roswell Resource Management Plan and Record of Decision (October, 1997).

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T. R. Kreager, Date
Assistant Field Manager - Resources